APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,193	12/12/2001	Mai Huong Dang	NFCSNZ01200	5901

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EXAMINER
PADGETT, MARIANNE L

ART UNIT	PAPER NUMBER
1792	

MAIL DATE	DELIVERY MODE
10/20/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)	
Notice of Non-Compliant Amendment (37 CFR 1.121)	10/017,193	DANG ET AL.	
	Examiner	**Art Unit**	
	MARIANNE L. PADGETT	1792	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

The amendment document filed on <u>09 July 2008</u> is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- [ ] 1. Amendments to the specification:
  - [ ] A. Amended paragraph(s) do not include markings.
  - [ ] B. New paragraph(s) should not be underlined.
  - [ ] C. Other _____.

- [ ] 2. Abstract:
  - [ ] A. Not presented on a separate sheet. 37 CFR 1.72.
  - [ ] B. Other _____.

- [ ] 3. Amendments to the drawings:
  - [ ] A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - [ ] B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - [ ] C. Other _____.

- [x] 4. Amendments to the claims:
  - [ ] A. A complete listing of all of the claims is not present.
  - [ ] B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - [x] C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - [ ] D. The claims of this amendment paper have not been presented in ascending numerical order.
  - [x] E. Other: <u>See Continuation Sheet</u>.

- [x] 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):
  <u>See Continuation Sheet</u>

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.

2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

    <u>Extensions of time</u> are available under 37 CFR 1.136(a) <u>only</u> if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

    <u>Failure to timely respond</u> to this notice will result in:
        Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or
        Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

/Marianne L. Padgett/
Primary Examiner, Art Unit 1792

Continuation of 4(e) Other:

New product claim 33 belongs to products of group II, nonelected without traverse in paper #8 (4/23/2003), thus should be labeled --(withdrawn--new)--. Also, it is noted that claims 27 & 28 were previously labeled as "(withdrawn)", are now labeled "(original)", but it is up to the examiner, not the applicant, to reinstate withdrawn claims (however from a preliminary review & considering the amendment, it appears that reinstatement of these two claims probably will be appropriate).

Claim 2 is labeled "(previously presented)", however the phrase "at atmospheric pressure" has been added without underlining at the end of the claim, thus this claim is informal & noncompliant. Applicants should thoroughly review their claims, to insure that there are no other discrepancies of this nature.

It is also noted that the quality of the 7/9/2008 amendment scanned into the USPTO file is poor, such that the strike through is on some of the single word deletions are very difficult to see.

Continuation of 5 Other:

While not a compliance issue, applicants may wish to note that in claim 1, step (b), first line thereof, in the 7/9/08 amendment has created the phrasing "the treated the surface", where the second "the" was probably intended to be deleted.

Also, applicants may wish to review dependent claim 26 for potential discrepancies with respect to amendments made to independent claim 1.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marianne L. Padgett whose telephone number is (571) 272-1425. The examiner can normally be reached on M-F from about 9:00 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks, can be reached at (571) 272-1423. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Marianne L. Padgett/
Primary Examiner, Art Unit 1792

MLP/dictation software
10/13/2008